IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JASON TUCKER,	:	
Petitioner,	:	Case No. 3:11cv00330
vs.	:	District Judge Walter Herbert Rice Magistrate Judge Sharon L. Ovington
STATE OF OHIO,	:	
Respondent.	:	

ORDER

When Jason Tucker filed his petition for writ of habeas corpus, he also filed a declaration in support of request to proceed in forma pauperis. Yet, his declaration was not accompanied by a separate motion to proceed in forma pauperis. The omission resulted in a letter to Tucker informing him of the required filing fee, which he then paid.

A review of Tucker's declaration demonstrates that his financial status satisfies the requirements to proceed in forma pauperis. *See* 28 U.S.C. §1915(a). Because Tucker qualifies to proceed in forma pauperis, his request to do so will be granted and his previously paid filing fee will be returned to him.

Accordingly, Petitioner's request to proceed in forma pauperis is GRANTED, and the Clerk of Court shall return to Tucker the $5.00 filing fee he previously paid in this case.

June 7, 2012

s/Sharon L. Ovington
Sharon L. Ovington
United States Magistrate Judge